2024 ANNUAL REPORT

- BUREAU OF AGRICHEMICAL MANAGEMENT - WISCONSIN DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION

Bureau of Agrichemical Management:

Overview

Part of the Wisconsin Department of Agriculture, Trade and Consumer Protection's (DATCP) Division of Agricultural Resource Management, the Bureau of Agrichemical Management (ACM) administers Wisconsin's regulatory and enforcement programs associated with commercial animal feeds, fertilizers, pesticides, and other plant production and pest control materials used in agricultural, urban, and industrial settings. This report provides a financial overview, an overview of bureau and work unit structures, program statistics, and enforcement and compliance actions.

More information about ACM and prior annual reports are available at Bureau of Agrichemical Management.

ACM's Mission

Protect human health and the environment, promote agriculture, and ensure a fair marketplace by mitigating risks and preserving the benefits of regulated products.

Strategic Plan

During 2024, ACM continued implementation of the 2021-2025 strategic plan. The strategic plan guides the bureau's use of financial and human resources in critical areas and on important tasks as it strives to meet its mission. Implementing this strategic plan assists the bureau with continuously improving efficiency and effectiveness while meeting its mission and regulatory responsibilities.

The plan includes three strategic goals:

- Maintain established connections with stakeholder groups to reinforce existing trust in the bureau. These connections will support stakeholders as their industries evolve, grow our partnership base, and ensure ACM provides proactive and relevant information to our partners and stakeholders.

- Optimize ACM operational functions through effective programs and efficient use of resources (including technology) to support the mission of the bureau.

- Recruit, invest in, and develop the ACM workforce to provide employees with appropriate professional and technical skills to lead critical programs and have opportunities to grow professionally.

ACM's annual work planning process utilizes this strategic plan to align work activities to meet these goals. The strategic plan is re-evaluated at the end of each five-year cycle to continue to guide the bureau in meeting its mission.

Bureau Structure

ACM is separated into two sections: the Agrichemical Programs Section and the Investigation and

Compliance Section. Each of these sections has multiple units and multiple programs. An overview of each section, and highlights from FY 2024, are provided in the remainder of this report. An organizational chart displaying the bureau structure, staff, and position types is available in Appendix A.

Financials

ACM's financial information includes data from the state fiscal year (FY) 2024, which was from July 1, 2023 through June 30, 2024. ACM's cooperative agreement with the United States Environmental Protection Agency (EPA) operated from October 1, 2023, through September 30, 2024. This report covers those portions of the federal grants that occurred during the state fiscal year. The Wisconsin Department of Natural Resources (DNR) environmental fund provides $1 million to support Clean Sweep Program grants to local governments. The revenue and expenses for these grants are not included in this section.

The primary sources of revenue for ACM include industry fees from licenses, permits, registrations, and tonnage under the feed, fertilizer, soil and plant additive, lime, and pesticide programs. In addition, a federal grant provides some funding to cover annual pesticide program expenses. ACM recognizes these important partnerships with industry and the federal government and works diligently to maximize the use of this funding for the benefit of the industry, consumers, and the environment.

Agrichemical Management Fund

The ACM fund is the primary source of funding for the regulatory, investigative, and enforcement aspects of ACM. This includes staff, supplies and services, and laboratory functions. Table 1 shows the ACM fund balance sheet resulting from industry fee revenue and ACM expenditures. Expenditures for "other programs" includes ACM support for the Division of Animal Health inspectors and Discovery Farms.

In addition to industry fees, ACM programs are supported by funding through a cooperative agreement with the EPA. This cooperative agreement is used to implement, investigate, and enforce pesticide use laws and regulations. In FY 2024, ACM received $677,339 in funding via the cooperative agreement with the EPA. EPA funding included supplemental funds for a regional and national lab workshop. Table 1 highlights the ACM funding situation.

Table 1: FY 2024 ACM Fund Balance Sheet

	Revenue		Expenditures	Ending Balance
Opening Balance	$13,022,000	ACM Programs	$8,110,737	N/A
Revenue Total	$8,514,000	Other Programs	$888,263	N/A
Total	$21,536,000	Total	$8,999,000	$12,537,000

Agricultural Chemical Cleanup Program Fund

The Agricultural Chemical Cleanup Program (ACCP) fund is used to provide reimbursement payments for eligible agricultural chemical spill cleanups. Table 2 shows the money collected and deposited into the ACCP fund from industry surcharges. The balance amount continued to decrease, as no surcharges were collected in FY 2023 due to the surcharge holiday. In FY 2024, the surcharge was reinstated at half the

full rate in accordance with Wisconsin § 94.73, but revenue was not collected until after the end of FY 2024. ACCP surcharge revenue will be included in the FY 2025 financials in next year's report.

Table 2: FY 2024 ACCP Fund

	Revenue		Expenditures	Ending Balance
Opening Balance	$2,596,000	**Reimbursements**	1,563,000	N/A
Total Revenue	$115,000	**Other**	$0	N/A
Total	$2,711,000	**Total**	$1,563,000	$1,148,000

Revenue Collected for Other Agencies and Programs

The ACM fund is statutorily required to support several programs that are not part of ACM. Table 3 shows non-ACM programs that are supported by fees paid into the ACM fund.

Table 3: FY 2024 ACM Fund Expenditures for Non-ACM Programs

Non-ACM Program	Amount
DATCP Division of Animal Health	$483,758
UW Discovery Farms	$260,605
DATCP Ag in the Classroom	$143,900
Total	$888,263

ACM is directed by statute to collect fees for several other agencies and distribute the funds to them each year. Table 4 shows the fee revenue collected on behalf of, and transferred to, other agencies and non-ACM programs.

Table 4: FY 2024 Non-ACM Program Revenue

Non-ACM Program	Revenue Collected
DNR Environmental Fund	$1,712,774
UW Fertilizer Research Council	$395,195
UW Nutrient Management Program	$235,454
UW Lime Research Program	$16,375
DATCP Weights and Measures	$156,375
Total	$ 2,516,173

Agrichemical Programs Section

The agrichemical programs section consists of the following units:

- Environmental Quality
- Feed, Fertilizer, and Containment
- Pesticides

Each unit is led by a supervisor and contains multiple programs. Programs are managed by subject matter experts and their supervisor.

Environmental Quality Unit:

The environmental quality unit includes the following program areas:

- Surface and Groundwater Monitoring
- Agricultural Chemical Cleanup and Reimbursement
- Pesticide Product Restrictions

Surface and Groundwater Monitoring Programs

These program areas perform routine monitoring for pesticides and nitrate to evaluate the occurrence of agrichemicals in surface and groundwater. This includes the following monitoring programs:

- Targeted
- Field-Edge
- Surface Water
- Exceedance Well
- Groundwater Restrictions

Table 5 provides the sample collection for ground and surface water in 2024 and the preceding four years.

Table 5: Number of Surface and Groundwater Samples Collected

	2020	2021	2022	2023	2024
Groundwater	209	285	269	511	306
Surface water	69	121	150	64	186
Total	278	406	419	575	492

In 2024, six compounds were added to the pesticide list increasing the number of pesticides analyzed to 112. Almost 500 water samples were analyzed for nitrate plus nitrite as nitrogen (N) and pesticide compounds by the DATCP Bureau of Laboratory Services. Key findings are summarized in annual program reports prepared by ACM staff. Annual reports for each monitoring program are available at https://datcp.wi.gov/Pages/Programs_Services/SurfaceGroundwaterMonitoring.aspx.

Multi-Agency Review of Groundwater Quality Standards

In 2024, no additional work was completed by staff in support of the DNR rulemaking process. The DNR is responsible for creating new standards within Wis. Admin. Code, ch. NR 140. When DATCP detects pesticides in groundwater samples, the data is shared with the DNR and the Wisconsin Department of Health Services (DHS) for consideration in public safety concerns.

DATCP submitted lists of pesticides for consideration to DNR, and the DNR submitted a list of compounds to DHS on March 2, 2018. Additional pesticides were also included on the “cycle 11” list submitted to DHS on September 19, 2019. DHS responded with recommendation standards for the cycle 10 list on June 21, 2019, and the cycle 11 list on November 19, 2019. On February 23, 2022, DNR's Natural Resources Board considered and did not approve the cycle 10 list. The scope statement for cycle 10 expired on March 3, 2022. The scope statement for cycle 11 expired on Sept. 15, 2023. Any future rulemaking conducted by the DNR will take place under a new scope statement. ACM program staff will continue to assist the DNR with technical advice and data support for rulemaking efforts for pesticides

with proposed groundwater standards. The status of the combined agencies efforts to draft new standards under Wis. Admin. Code, ch. NR 140 can be found on the DNR's website (https://dnr.wi.gov/topic/Groundwater/NR140.html) and DATCP's website (https://datcp.wi.gov/Pages/Programs_Services/GroundwaterStdsPesticides.aspx).

DHS considers a proposed standard to be a Drinking Water Health Advisory. The following is a list of pesticides with DHS established health advisories:

• Clothianidin	1,000 µg/l
• Dacthal, Dacthal MTP, Dacthal TPA	70 µg/l
• Glyphosate,	10,000 µg/l
• Glyphosate AMPA	10,000 µg/l
• Imidacloprid	0.2 µg/l
• Isoxaflutole, Isoxaflutole DKN	3 µg/l
• Isoxaflutole BA	800 µg/l
• Sulfentrazone	1,000 µg/l
• Thiamethoxam	120 µg/l
• Thiencarbazone-methyl	10,000 µg/l
• Metalaxyl	800 µg/l
• Chlorantraniliprole	16,000 µg/l
• Flumetsulam	10,000 µg/l
• Fomesafen	25 µg/l
• Hexazinone	400 µg/l
• Saflufenacil	460 µg/l
• Cyantraniliprole	10 µg/l
• Norflurazon	15 µg/l

ACM program staff published fact sheets for all pesticides under consideration for review of groundwater standards. These fact sheets are available to view on DATCP's website: https://datcp.wi.gov/Pages/Programs_Services/GroundwaterStdsPesticides.aspx

Agricultural Chemical Cleanup Program

The Agricultural Chemical Cleanup Program (ACCP) helps cleanup eligible pesticide and fertilizer spills in an effort to prevent these spills/releases from contaminating groundwater and reimburses the responsible person (RP) for eligible cleanup costs. ACCP works with the RP for the spill and consults with the RP hires to ensure cleanups are completed in a timely, cost-effective manner in accordance with environmental regulations and standards.

Corrective action often includes an environmental investigation and removal of contaminated soil. For cases where residual contamination remains, groundwater monitoring is often performed for several years to evaluate natural attenuation as a final remedial response. Groundwater monitoring may be required for an extended period of time at some sites, particularly at sites where contaminants adsorb to fine grained, low permeability soil.

Since 2012, the Environmental Quality Unit Spill Coordinator responds to an average of 32 spill responses each year. The Spill Coordinator also works closely with the DNR on spill response investigations. Agrichemical spills reported to the DNR Emergency Hotline are then transferred to the DATCP Spill Coordinator, who will refer the information to the Investigations and Compliance section to assign to an Environmental Enforcement Specialist (EES) based on available staff and territorial responsibilities. The EES mobilizes to the site, often within a few hours after the spill was reported. Upon arrival at the spill site, EES staff meet with the RP to discuss the appropriate spill response. Spill clean-up methods can include the use of hand tools, absorbent material, or vacuum trucks and street sweepers. Occasionally, contaminated soil is also removed as part of the spill response. EES staff then collect soil samples to document that the spill response has been cleaned up to the extent practical. The EES prepares a report to document the cause of the spill and the corrective action(s) taken.

The ACCP reimburses for a portion of eligible cleanup costs. The discharge site maximum is $650,000 for eligible costs incurred on or after July 1, 2017. The Agricultural Chemical Cleanup Council, a six-member advisory council composed of farmers and members of the regulated community, reviews and makes recommendations to DATCP regarding reimbursements. Table 6 details ACCP case numbers for 2024 and the preceding four years.

Table 6: Number of Cases Managed

	2020	2021	2022	2023	2024
ACCP					
Applications received	23	45	28	21	31
Open cases	124	120	119	113	102
Long-term cases – new	8	6	3	2	5
Long-term cases – re-opened	7	3	3	7	6
Long-term cases – closed	14	17	10	14	22
Long-term cases – total closed	636	653	663	677	699
Spill Cases					
New	32	24	28	34	16
Closed – same year	24	9	0	0	6
Closed each year – total	32	18	13	18	44
Total closed cases	1,318	1,336	1,349	1,367	1,411

The Agrichemical Cleanup Council (ACCC) plays a key role for the ACCP reimbursement program. Following review of each reimbursement application, ACM staff recommend to the council an amount for reimbursement and seek approval during quarterly meetings. The council also advises ACM staff on proposed rule changes, fees, and surcharges to fund reimbursement for cleanup. By rule, the council must include two farmers, two pesticide dealers or commercial applicators, one environmental consultant, and one agricultural chemical manufacturer or wholesaler. All council members are appointed by the DATCP Board for two-year terms. To ensure council member terms overlap, three appointments are made each year. Current members may be reappointed to serve another term or new members may be recruited.

ACM would like to thank the following council members who served in 2024:

- Agricultural chemical manufacturer or wholesaler: Frank Masters with Twin State, Inc., of Janesville (March 2001 to September 2024)
- Agricultural chemical manufacturer or wholesaler: William Whitworth with Rosen's Inc., of Sparta (member since November 2024)
- Environmental consultant: Thomas Culp with True North Consultants of Madison (member since January 2024)
- Farmer: Arch Morton, Jr., of Janesville (member since September 2015)
- Farmer: Kevin Solum of Deer Park (member since July 2022)
- Pesticide dealer or commercial applicator: Jennifer B. Wickman with Cooperative Network of Madison (member since July 2019)
- Pesticide dealer or commercial applicator: Joe Sikora with Insight FS of Jefferson (member since February 2018)

More information on the Agricultural Chemical Cleanup Program is available at Agricultural Chemical Cleanup Program.

Pesticide Product Restrictions Program

The Pesticide Product Restrictions Program has the authority to place increased restrictions on the use of certain pesticide products. Pesticides, such as DDT, endrin, chlordane, and dinoseb, as well as metals such as cadmium, are prohibited pesticides in the state. Restrictions can also include limits on certain products for specific uses (like bat control), restrict application methods or timing, or specify other management practices for specific pesticides. The authority also allows increased restrictions on uses of aldicarb and atrazine, two pesticides known to have caused groundwater contamination through past use. Monitoring efforts include groundwater monitoring and collection of samples, marketplace inspections, and pesticide use observation inspections.

Feed, Fertilizer, and Containment Unit

The Feed, Fertilizer, and Containment unit includes the following programs:

- Feed
- Fertilizer
- Soil or plant additives
- Lime
- Containment

Feed Program

The Feed Program provides the following services:

- Licensing and tonnage reporting: The program annually licenses more than 1,500 commercial feed and pet food companies. Each year, these feed companies distribute over 4.5 million tons of feed in Wisconsin, which includes feed for Wisconsin's livestock and poultry industries and pet food. Feed licensees must report and pay inspection fees on each ton of feed distributed during the previous calendar year.
- Certificates of free sale: Certificates of free sale confirm that the company is licensed and legally able to sell in Wisconsin the feed or feed ingredient being exported. The program issues anywhere from 200 to 300 certificates of free sale annually to companies exporting feeds and

feed ingredients. Companies submit an application, fee, and label of the feed they want to export and are issued a certificate of free sale. Applications can be submitted through an online process via AccessGov. This system prevents incomplete applications and reduces intake time for customers.

- Inspections and sampling: The program routinely inspects feed mills for compliance with good manufacturing practices and collects samples to ensure the nutrients in the feeds are present at the levels guaranteed on the label. Approximately 100 inspections are completed annually. Feed program staff collect 300 to 600 feed samples each year and send the samples to DATCP's laboratory for analysis.

During 2024, the feed licensing and tonnage reporting processes were converted from the old Case Tracking System database into a Customer Relationship Management system. This enhanced the department's ability to manage data, starting in January 2025 and allows industry to apply for licenses and report tonnage online. Online applications will speed up issuance of license and reduce errors commonly found in paper applications.

Inspection Prioritization

New facilities receive an initial risk assessment using information from their first license application submitted to DATCP, and a risk assessment questionnaire completed during an outreach visit by an EES subsequent to licensure. With the information provided by the Risk Assessment, past inspection reports, and sampling results, the feed program is able to better assign inspections at an appropriate rate to meet the needs of industry and consumers alike. Fifty-eight outreach visits were completed in 2024.

Commonly Found Violations and How to Avoid Them

Violations are occasionally observed during inspection and sampling activities. Read below to learn about some of the common violations, what they mean, and how to avoid them. Resources for assisting with compliance are available at the end of this report.

Violation: ATCP 42.02 Commercial Feed Licensing

A common violation found was businesses that were not current with their license and tonnage fees. The Commercial Feed License is valid March 1 through February 28. The department sends expiration notices to businesses each year around January 1 to remind them of the requirement to renew their license and submit tonnage for feed distributed in Wisconsin the prior calendar year. If the business does not complete the renewal requirements, their license is expired and late fees and/or enforcement action will be taken if efforts are not made by the business.

Violation: ATCP 42.04 Commercial Feed Labeling

The state of Wisconsin has labeling requirements for all feed products. Labels should be reviewed regularly to ensure compliance with ATCP 42.04. DATCP often encounters species-specific feeds do not have all the guarantees required for the species listed on the label. Review ATCP 42.14 for additional information regarding this requirement.

Violation: ATCP 42.28 Dog and Cat Food Labeling

The state of Wisconsin has labeling requirements for dog and cat food. Labels should be reviewed regularly to ensure compliance with ATCP 42.28. If you are unsure of your label, please reach out to program staff or your inspector for guidance.

Violation: ATCP 42.46 Good Manufacturing Practices
The state of Wisconsin requires that all medicated feed and dog and cat food be manufactured, processed, packaged, stored, and distributed in a manner which prevents adulteration and misbranding. Common observations during inspection are dust build up; buildup of feed stuffs in mixers; holes in ceilings, walls, and doors that allow the entrance of vermin; clutter throughout and outside of the facility that may harbor pests; overgrown foliage that may increase the risk of pest harborage; and open doors that may allow for birds to enter the facility.

A potential defense to the above is to maintain a routine cleaning schedule and audit of the facility and premise.

Violation: ATCP 42.46 (5 and 6)
The state sites 21 CFR 225 and 21 CFR 226 for the manufacturing of medicated articles and medicated feeds. In addition, the state requires that each medicated feed manufacturing facility establish and maintain procedures for identifying, storing, and controlling inventories of medicated articles and feeds. Often, we find that facilities "actual" and "theoretical" inventories are not aligned. Development of a standard operating procedure document for drug inventory controls may be an option to reduce the risk of inaccuracies. Additionally, the department will find that there is not adequate storage of medicated articles and feeds in their original closed containers. A common practice observed in industry to mitigate this is to have different colored totes for each medicated article and/or feed bags in the totes with their own matching scoops for measuring.

Table 7 provides feed program data from 2020 to 2024, including licensing, tonnage, and inspection data.

Table 7: Feed Program Data

	2020	2021	2022	2023	2024
Feed Program Activity Areas					
Licenses issued	1,534	1,570	1,540	1520	1576
Tonnage reported	6,015,438	5,131,796	4,785,035	4,564,711	6,021,335
Certificates of free sale issued	328	152	184	246	267
Surveillance samples collected	298	633	614	597	470
Inspections					
Commercial Feed	85	111	112	89	252

More information about the Commercial Feed Program is available at Livestock Feed and Pet Food.

Fertilizer Program

The Fertilizer Program provides the following services:

- License: A license is required for each business location and mobile unit used for manufacturing or distributing fertilizer, soil and plant additive, or lime. The program issues about 900 fertilizer,

300 soil and plant additive, and 100 lime licenses annually. Fertilizer, soil and plant additive, and lime licenses need to be renewed annually.

- Tonnage: The program collects tonnage reports and fees for approximately two million tons of fertilizer, 114,000 tons of soil and plant additives, and 700,000 tons of agricultural lime distributed in Wisconsin annually. Each product has a tonnage reporting requirement that involves the reporting of tons of fertilizer distributed and submitting inspection fees and surcharges collected.
- Permits: The program has 3,668 fertilizer products permitted, with approximately 400 permitted annually. Permits are issued for fertilizers less than 24% total NPK (nitrogen, phosphorus, and potassium) and all soil and plant additive products. For soil and plant additives, there are approximately 1,663 products permitted with approximately 280 products permitted annually. Businesses voluntarily cancel approximately 300 permits per year.
- Sampling: The program collects samples to ensure the fertilizer meets the label guarantees and economic value. Staff collect approximately 300 to 400 samples each year, which get analyzed by DATCP. Samples are typically collected in the spring prior to crop planting.

In 2024, initial steps to migrate program data into the CRM database began. It is anticipated that this will lead to opportunities for industry to apply for licenses and permits and pay tonnage fees online.

Failed Samples and How to Avoid Them

Failed samples are a violation of ATCP 40.14. The DATCP lab analyzes samples for four components: total nitrogen, available phosphate, soluble potash, and the combined nutrient index (CNI). The CNI is the economic value portion of the fertilizer and it calculated by {total nitrogen (N) guarantee} + {available phosphate (P2O5) guarantee} + {soluble potash (K2O) guarantee}. Out of 124 samples collected, failures were reported as follows:

Combined Nutrient Index (CNI): 15
Soluble Potash: 11
Available Phosphorus: 8
Total Nitrogen: 6

There are ways fertilizer facilities can help prevent reported failures. Having their ingredients lab tested to confirm they are as reported by the manufacturer will ensure they are making a proper guarantee of their product. Make sure manufacturing procedures are followed closely and the correct weight of ingredients are added before mixing. Facility housekeeping is also important to avoid contamination of a blend.

Table 8 details fertilizer programs information from 2020 to 2024, including sampling, permitting and licensing, soil and plant additives, and lime.

Table 8: Fertilizer Program Data

	2020	2021	2022	2023	2024
Fertilizer					
Samples collected	0	304	268	274	124
Licenses issued	694	811	876	720	840
Total permits issued	3,976	3,565	3,965	3,668	3,536

Permits issued – new	235	387	400	473	231
Tonnage reported	1,738,155	2, 434,501	2,007,647	2,318,906	2,354,031
Soil and plant additive					
Licenses issued	214	242	281	277	246
Total permits issued	1,623	1,443	1,744	1,663	1,618
Permits issued – new	221	190	287	289	280
Tonnage reported	77,940	113,548	114,871	73,557	89,704
Lime					
Licenses issued	72	92	92	88	90
Tonnage reported	721,320	743,135	1,144,060	1,115,661	1,654,874

More information about the Fertilizer Program is available at Commercial Fertilizer Dealers.

Containment Program

The Containment Program regulates the storage and handling of bulk fertilizer, pesticide, and non-bulk pesticide to protect against groundwater contamination resulting from both chronic and acute fertilizers and pesticides spillage at storage and handling facilities.

Staff review the design and construction of these facilities, conduct ongoing inspections of these facilities, and investigate facilities that are not complying with the fundamental environmental protection sections of applicable rules and statutes. Containment structure construction observations are performed by conservation engineering staff in the Bureau of Land and Water Resources.

Commonly Found Violations

The bureau is observing a pattern of emerging violations related to uncontained storage of minibulks in larger quantities for significant periods of time. It appears that various facilities in industry are making decisions to purchase quantities of minibulks for which the facility has inadequate compliant storage capabilities.

Table 9 outlines the volume of containment inspections and cases addresses in 2024 as well as the preceding four years.

Table 9: Containment Program Data

	2020	2021	2022	2023	2024
Inspections					
Full	3	3	3	3	5
Small	120	114	103	106	122
Mix/load	8	17	10	12	20
Sump test	63	66	48	52	60
Cases: Containment Plan Sets					
Reviewed	35	23	18	40	41
Projects	19	16	9	20	25

More information about the Containment Program is available at DATCP Home Agricultural Chemical Storage and Containment.

Pesticides Unit

The pesticides unit includes the following services and programs:

- Applicator Certification and Licensing
- Pesticide Product Registration
- Agricultural Worker Protection
- Inspections
- Community Programs

Applicator Certification and Licensing

Certification:

- Commercial and private applicators: Individuals who commercially apply pesticides and anyone who applies restricted use pesticides must be certified by passing a written examination.
- Reciprocal applicator: For individuals who are properly certified outside of Wisconsin in their state of residence and apply pesticides in Wisconsin in settings which require certification and licensure.
- 30-day trainee registration (temporary certification): Allows an individual to make pesticide applications for-hire while under the direct supervision of an applicator who is certified and licensed.

Licensing:

- Commercial pesticide business location: Businesses that make pesticide applications on a for-hire basis must obtain a pesticide business license and employ individuals who are licensed as an individual commercial applicator.
- Individual commercial applicator: Anyone applying any pesticides on a for-hire basis and anyone who applies a restricted-use pesticide must have a license.
- Restricted-use pesticide dealers and distributors: A license is required of any business that sells or distributes restricted-use pesticides (RUPs), either into or within the state.

During the 2024 season, many process changes were implemented to improve lead time for issuing licenses to Commercial Pesticide Application Businesses, Dealers/Distributors of Restricted-Use Pesticides, and Individual Commercial Pesticide Applicators. In addition to this, much of the time saved was repurposed for providing additional outreach to industry. Multiple forms of outreach have been pursued, including increased notification for expiring commercial pesticide applicator certification and additional provision of resources to assist with compliance.

Table 10 details pesticide licensing and certification levels from 2020 through 2024.

Table 10: Pesticide Applicator Licenses and Certifications

	2020	2021	2022	2023	2024
Licenses Issued					
Pesticide business location	2,381	2,396	2,392	2,368	2,367
Individual commercial applicator	8,142	7,874	7,448	7,828	7,162
Reciprocal	459	466	513	419	417
Restricted use dealer	397	391	350	381	384
Certifications Conducted					
Commercial exams passed	1,453	2,312	5,662	5,100	5,070
Commercial exams failed	441	data not available	2,532	2,165	2,092
Total commercial certified applicators**	18,200	20,265	21,936	22,897	23,649
Private exams passed	1,491	453	3,375	2,045	1,525
Private exams failed	0	data not available	data not available	53	27
Total private certified applicators**	11,042	9,081	10,808	11,860	10,398

**Applicators can have more than one certification.

Online Commercial and Private Pesticide Applicator Certification

The pesticide applicator certification program continues to partner with Pearson Vue to offer computer-based testing options. This is a computer-based exam that can be taken at a remote location or at one of Pearson Vue's locations, which include most technical colleges in Wisconsin. Certification through Pearson Vue is treated the same way as in-person testing at DATCP, and applicators are granted five-year certifications. This option generated positive feedback from the industry. Applicators test faster and get results and certification within three days of testing. The Pearson Vue online testing went live in November 2021. Since then, approximately 3,000 applicators have received their certification through this format. Indications are that the rate of certifications obtained through online testing will continue to grow.

More information about the certification and Licensing Program is available at Pesticides and Fertilizers: Certification and Licensing.

Pesticide Product Registration

Pesticide manufacturer and labeler licensing:

- Pesticide products distributed, sold, or used in Wisconsin must be registered with both EPA and DATCP. Companies that manufacture or label pesticide products must also be licensed with DATCP to sell or distribute their products in Wisconsin, regardless of whether the company is located in Wisconsin or manufactures pesticides here. The program licenses nearly 1,600 companies annually.

Pesticide product listing:

- Pesticide manufacturer and labeler licensees must report the pesticide products they are listing for distribution in the U.S. There are two types of pesticide products, based on Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) classifications: Section 3 and 25b (minimum risk) products. Wisconsin charges a fee to list FIFRA Section 3 products (those products regulated by the EPA) on the state registry. Listing of these products ensures they are properly registered by the EPA. Wisconsin also requires that 25b products, which are exempt from EPA registration, are listed but no fees are assessed. There are currently over 13,000 pesticide products listed for distribution each year.

Special registrations and use authorizations:

- Pesticide products are registered and labeled for specific uses and must be used according to label directions. The program does have the ability to register products for use in Wisconsin to meet specific needs, such as Federal Section 18 emergency exemptions, Wisconsin emergency use permits, and special local need registrations. DATCP also receives requests to conduct experimental research with pesticides in Wisconsin.

Table 11 details the different pesticide product registration that occurred in 2024, as well as the preceding four years for comparison.

Table 11: Product Registrations

	2020	2021	2022	2023	2024
Manufacturers and labelers	1,550	1,669	1,649	1602	1586
Pesticide products	12,874	13,264	13,340	13,074	13,055
24(c) special local need (new)	3	6	2	7	0
Section 18 emergency exemption	1	0	0	0	0
Experimental use permits	0	0	1	2	0

More information about the Product Registration program is available at Pesticide Manufacturers and Labelers: Registering Pesticide Products for Distribution in Wisconsin.

Agricultural Worker Protection

DATCP enforces the federal Worker Protection Standard (WPS) in Wisconsin. The WPS is a regulation issued by the U.S. Environmental Protection Agency intended to use information, training, and practices to reduce the risk of pesticide exposure for pesticide handlers and other workers producing crops:

- On farms
- In forests
- In nurseries
- In greenhouses

Workers and handlers include employees, self-employed contractors and, in some cases, owners. DATCP strives to conduct 60 WPS inspections on an annual basis and as much outreach as possible. On average, DATCP's WPS program reaches 300 workers through WPS inspections, annually. The WPS program manager annually presents to state grower groups reminding them of their WPS responsibilities as well as collaborating with other state and local agencies to enhance awareness.

On the DATCP WPS webpage, various resources are available that an establishment can utilize to create or refresh their program including how-to-comply manuals and videos, the WPS safety poster, training and recording keeping example forms and references to the University of Wisconsin-Extension Pesticide Applicator Training and federal EPA resources.

In 2024, the Worker Protection Standard program started a newsletter sent out to industry establishments throughout the season to remind them of important WPS program elements and requirements. Five total newsletters were sent out in 2024. The Worker Protection Standard Program also completed three outreach events in 2024, speaking with state grower associations as well as with internal state, county level government agencies.

More information about the Worker Protection Standard Program is available at Worker Protection Standard.

Inspections

Storage, transport, and sale of pesticides:

- Monitored through inspections and pesticide use observations.

Pesticide handling, records, disposal, and spills:

- Monitored through inspections and some functions of the ACCP and containment programs.

Agricultural Worker Protection Standard (WPS):

- An EPA regulation adopted into Wisconsin law that requires employers that use pesticides in raising agricultural crops in farm, forest, nursery, or in enclosed space settings to protect agricultural workers and pesticide handlers from illness or injury from pesticide use.
- Wisconsin's WPS inspections are part of the annual cooperative agreement between DATCP and the EPA.
- ACM performs up to 60 WPS inspections each year.

Private applicator records:

- Inspections of individuals who purchase and/or apply RUPs to determine whether applicable recordkeeping requirements are being followed. Environmental enforcement staff provide training offered by the University of Wisconsin's (UW) pesticide applicator training program.

Table 12 provides inspection levels for 2020 to 2024.

Table 12: Number of Pesticide Inspections Conducted

	2020	2021	2022	2023	2024
Commercial Applicator Record Inspection	62	110	130	136	121
Restricted Use Dealer Record Inspection	68	60	64	63	63
Pesticide Use Observations	126	124	139	134	168
Private Applicator Record Inspection	45	74	69	65	34
Producer Establishment (federal)	8	8	5	5	10
Marketplace (federal)	4	4	12	12	15
Marketplace (state)	0*	173	503	400	494
Worker Protection	48	51	58	45	36

Commonly Found Violations and How to Avoid Them

Violations are occasionally observed during inspection activities. Read below to familiarize yourself with some common violations, what they mean, and how to avoid them. Visit the How to Comply Manuals webpage for assistance with these requirements. For more information on Pesticide Application Certification and Licensure, visit Pesticides and Fertilizers: Certification and Licensing.

Lack of Pesticide Business License - This license is required when a business (person), including sole proprietor, makes commercial pesticide applications. The license is valid for one calendar year, January 1 through December 31. A license is required for each location that a business operates at as a pesticide applicator for hire.

Lack of certification in the proper category - Certification is required when making commercial pesticide applications, when using restricted-use pesticides, or both. There are 20 commercial pesticide applicator certification categories. Certifications are valid for five years.

Lack of a current ICAL (individual commercial applicator license) - Licensure is required when making commercial pesticide applications for-hire or when making commercial pesticide applications of a restricted-use pesticide. The individual licenses are valid for one calendar year, January 1 through December 31, and are not transferable. Applicators shall carry their license when involved in commercial pesticide work.

Lacking application records or required elements - An application record must be created for each application of a restricted use pesticide and each commercial pesticide application. Records must be kept for two years, three years for atrazine. Common missing elements include date and/or start/stop time, location of mixing/loading, and missing EPA Registration Number.

Missing required information to customers - Information on requirements can be found in the How to Comply Manuals webpage.

Community Programs

Landscape Pesticide Registry:

- Allows Wisconsin residents to receive a notification before lawn care and landscape companies apply pesticides to neighboring property. This list is made available publicly to assist commercial

pesticide application businesses to notify members of the registry prior to the application of pesticides.

- More information about the Landscape Pesticide Registry is available at Landscape Pesticide Registry.

Clean Sweep Program:

- Provides grants to municipalities, counties, tribes, and regional planning commissions to help them create and operate local programs for the collection and disposal of agricultural pesticides, farm chemical waste, household hazardous waste (HHW), and unwanted prescription drugs. Funding for these grants is $1,000,000 annually from the DNR's environmental fund. In addition, the program provides limited funding each year to support very small quantity generator (VSQG) waste disposal.
- More information about the Clean Sweep Program is available at Clean Sweep.

Table 13 provides the volume of landscape pesticide registry use by Wisconsin residents and volume of Clean Sweep Program waste collections for 2024 and the preceding four years.

Table 13: Community Services and Programs

	2020	2021	2022	2023	2024
Landscape pesticide registry					
Addresses registered	4,454	4,461	4,445	4,319	4858
Warning notices issued	27	35	48	21	30
Clean Sweep					
HHW (lbs.)	3,290,963	2,058,879	3,268,820	3,121,217	3,177,590
Ag and ag business (lbs.)	82,435	70,337	82,604	74,369	141,382
Prescription drugs (lbs.)	27,023	13,411	22,991	20,626	15,847
VSQG (lbs.)	233,956	231,230	233,413	252,479	337,516

Investigation and Compliance Section

The Investigation and Compliance Section performs inspection and sampling activities detailed in this report as well as investigations related to the commercial animal feed, fertilizer, pesticide, and groundwater programs. These cases can involve product distribution, storage, use, disposal, or environmental contamination.

Staffing

The section consists of 15 environmental enforcement specialists, two supervisors, and a section manager:

- Environmental Enforcement Specialists (EES staff) complete inspection fieldwork, along with investigations that supports the work of the Agrichemical Programs Section.
- Two EES staff are classified as advanced, one as the Investigation Program Manager and the other as the Inspection Program Manager. Both positions have statewide responsibility.
- Two supervisors and a section manager conduct and oversee activities associated with inspections and investigations for ACM program areas.

A map depicting the territories assigned to each EES staff and their contact information is available in the appendices. Industry members are encouraged to reach out to their local EES staff person if they ever need assistance with compliance or regulatory issues.

Investigation Program Activities

In 2024, the section conducted a total of 163 investigations, with the following types of cases: 126 pesticide, 21 commercial animal feed, 13 containment, and three fertilizer. No worker protection or remediation investigations were conducted.

Table 14 provides counts of minor enforcement issues in unregistered products and worker protection warnings.

Table 14: Minor Enforcement by Program

	2020	2021	2022	2023	2024
Marketplace unregistered products found	1	61	120	149	174
Worker protection written and verbal warnings	23	26	53	47	43

Table 15 breaks out the number of enforcement cases by program and type.

Table 15: Enforcement Cases by Program

Program	2020	2021	2022	2023	2024
Pesticide	115	100	109	127	126
Groundwater investigations	0	0	0	0	0
Toxic response	0	0	0	0	0
Remediation	0	9	8	7	0
License/certification	0	0	0	0	0
Feed	3	11	7	14	21
Fertilizer	1	1	4	1	3
Containment	3	3	2	13	13
Worker protection	0	1	0	2	0
Cases with documented violations	84	70	71	117	132
Percent violation rate	69%	56%	55%	71%	85%

Violations may result in enforcement actions ranging from verbal warnings to a court action with civil or criminal penalties, depending on the statutory authorities in specific program areas. All civil or criminal cases conducted by the section are prosecuted by the district attorney's office in the county where the alleged violation(s) occurred. Occasionally, cases are referred to the Wisconsin Department of Justice as well. A majority of the formal enforcement actions are conducted by the section through stipulated settlements, with court documents being prepared by the section. In 2024, 86 cases were delivered to county district attorney offices for prosecution. These cases include investigations from previous years. DATCP assigns the highest response to complaints involving alleged human exposure to pesticides and commercial feed complaints involving impacts to human food supply species.

Table 16 provides the numbers of various enforcement actions taken during 2024.

Table 16: Enforcement Action Taken

Action Type	2024
Verbal warning	186
Warning notice – investigator	79
Warning notice – office	24
Administrative order	2
Compliance conferences	94
Civil forfeiture action submitted to DA	86
Criminal action submitted to DA	0
Referred to EPA	0
Total	471

Table 17 details the volume and types of pesticide compliance cases for 2020-2024.

Table 17: Types of Pesticide Cases

Case Type	2020	2021	2022	2023	2024
Aerial – Airplane/Drone	3	7	6	5	2
Aerial – Helicopter	3	0	0	0	1
Greenhouse – Nursery	0	0	0	0	0
Ground Application-Ag	31	21	28	23	35
Improper Disposal	1	0	1	3	7
Other Non-Ag	3	2	5	14	7
Poor Operating Practices	42	44	40	40	57
Right-of-Way	3	4	0	1	5
Structural	4	1	3	7	7
Turf & Ornamental	25	21	24	35	18
Vandalism	0	0	0	0	0
Total	115	100	107	128	139

Updates on Completed and Ongoing Initiatives

Digital Submission of Sample Collection Records

DATCP's Bureau of Laboratory Services is in the process of implementing a new data management system which includes the implementation of digital record creation and submission for Sample Collection Record documents. Previously, this process was done via paper. Moving forward, it will allow for a more efficient process for submission of Sample Collection Records, improving department functions and decreasing lead time on sample processing. This digital submission process is completing development, and implementation is expected to begin in 2025.

Case Tracking Technology Conversion to a New Licensing System

DATCP's efforts to transition to a Customer Relationship Management application for managing multiple databases and licensing programs continues. During 2024, implementation begun for multiple additional ACM programs including licensing for Commercial Pesticide Application Businesses, Dealers/Distributors of Restricted-Use Pesticides, and Commercial Feed Manufacturers. These efforts have allowed these three programs to enter the new system as part of the 2025/2026 licensing renewal season yielding improved processes and decreased lead time for customers to receive their licenses. Additional programs in ACM will continue to transition into this system to provide more benefit to customers and promote efficiency in ACM.

MyDATCP

As part of the same database conversion activities listed above, licenses for and tonnage reporting for Commercial Feed Manufacturers can now be renewed online in DATCP's newest version of MyDATCP. This can further decrease licensing lead time for customers while providing additional services. ACM currently offers online application submittal for two other licensing programs and the Landscape Registry. These programs will also transition to the newest version of MyDATCP in the future, and more programs in ACM are set to become available in MyDATCP for license renewal, including Pesticide Licensing Programs and the Fertilizer, Soil and Plant Additive, and Lime Licensing Programs. The newest version of MyDATCP features enhancements to current online application processes as well as coming upgrades to allow customers more online tool capabilities for managing their licensing.

Quality Management

In 2024, ACM's efforts to serve industry and general population stakeholders by developing efficient and effective processes continued. In addition to some of the projects listed in the above sections, many projects for developing new efficiencies in ACM's processes were completed in 2024, yielding time or financial savings for ACM for additional services to customers. These resources are repurposed for continued serving of ACM's stakeholders. While performing efforts of continuous improvement on some of ACM's processes, the bureau achieved much more to serve that state in 2024 as well.

Continuous Improvement in the State of Wisconsin

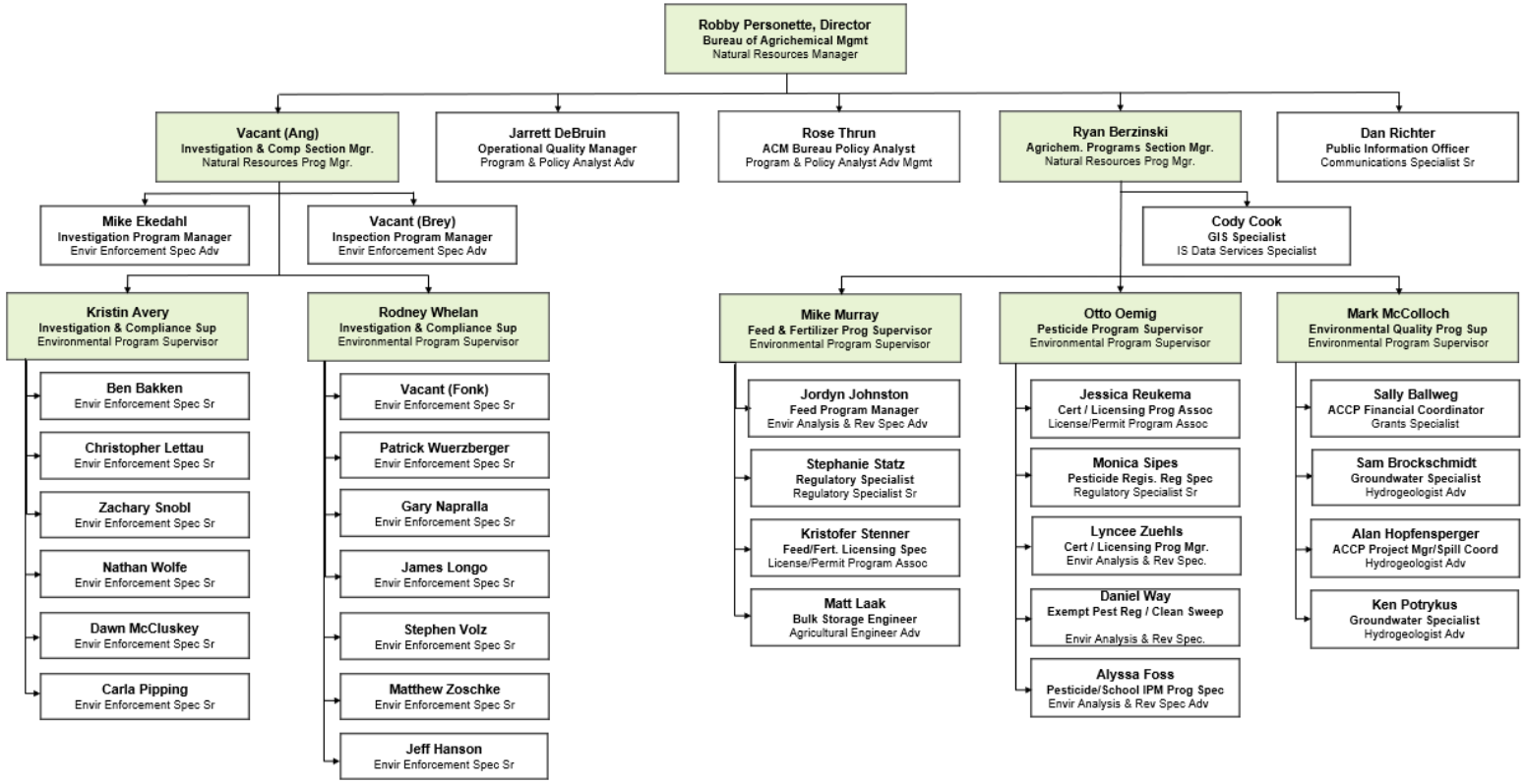
DATCP participates in Wisconsin's Continuous Improvement Program, organized by the Department of Administration. This program serves as a way to gather data metrics on projects conducted at participating state agencies and to share them with the public. An emphasis on this reporting is to share projects that have led to new efficiencies with state resources and improved stakeholder experiences. Some of the efforts listed in this report have been included in reporting for the Continuous Improvement Program. To learn more about continuous improvement projects across state agencies and some of their benefits, visit the Continuous Improvement Home webpage.

Soliciting Industry Feedback

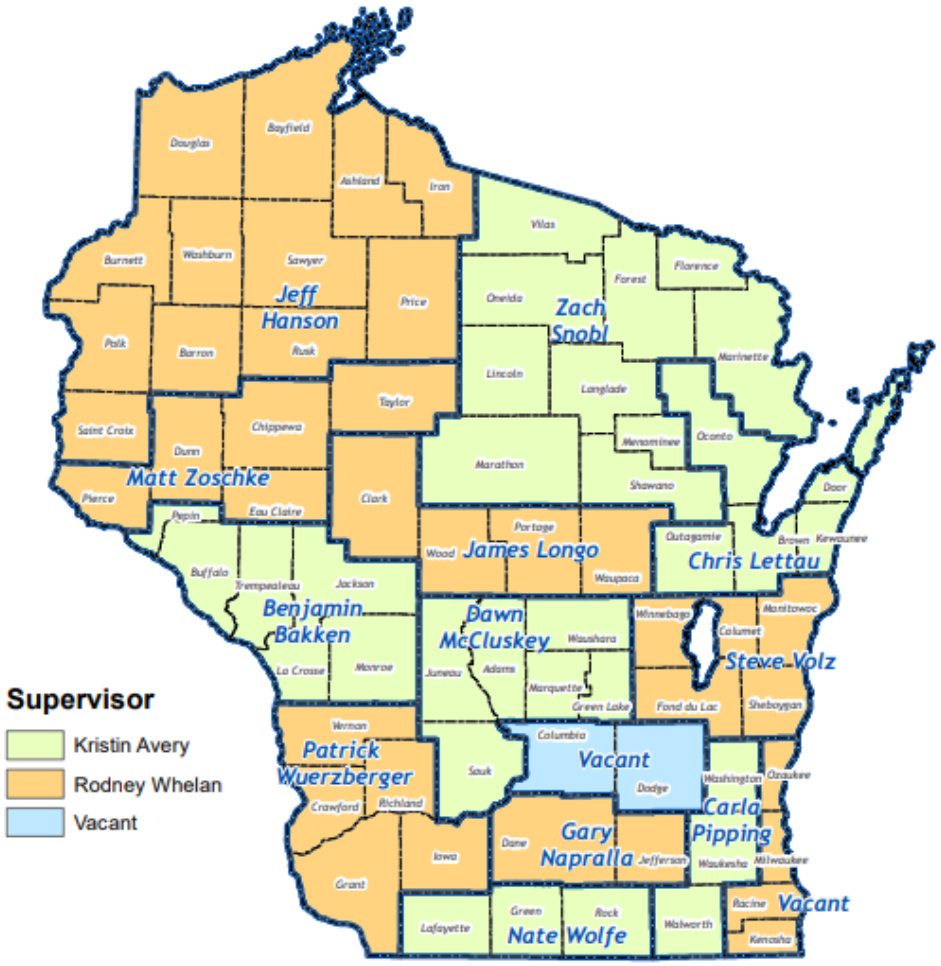
ACM is working actively to increase efforts soliciting feedback from industry. Insight from industry stakeholders is highly valued, and ACM recognizes the importance of these partnerships. ACM recently concluded collecting stakeholder feedback via a survey of industry members which was started in 2024.

Appendices:

Appendix A: ACM Organizational Chart



Appendix B: Environmental Enforcement Specialist Territory Map



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